

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MFB Fertility Inc., a Colorado Corporation,)	
)	
Plaintiff,)	Case No. 2023-cv-03854
)	
v.)	
)	
Action Care Mobile Veterinary Clinic, LLC, a)	JURY TRIAL DEMANDED
Maryland limited liability company,)	
)	
Defendant.)	

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO DEFENDANT’S MOTION
TO DISMISS AND COUNTERCLAIM**

Plaintiff, MFB Fertility Inc., by and through its counsel, Gary I. Blackman and Erin M. Mayer with Levenfeld Pearlstein, LLC, moves this Court (without opposition) for an extension of time to and including November 10, 2023 to respond to Defendant’s Motion to Dismiss and Counterclaim.

1. Defendant waived service of summons and filed its appearance on July 24, 2023 and, on September 15, 2023, filed a Motion to Dismiss Plaintiff’s copyright infringement claim for failure to state a cause of action pursuant to Fed. R. Civ. P. 12(b)(6) (Dkt. 10) and filed a Memorandum in Support Thereof (Dkt. 11).

2. On September 22, 2023, Defendant filed its Answer, Affirmative Defenses & Counterclaims.

3. This Court ordered that Plaintiff respond to the Motion to Dismiss by October 18, 2023 and that Defendant file its reply by November 1, 2023. (Dkt. 14)

4. For reasons both personal and professional, Plaintiff requires additional time to file its responsive pleadings and therefore seeks an extension of time to and including November 10, 2023 to respond to the Motion to Dismiss and to November 10, 2023 to respond to the Counterclaims.

5. Defendant has no objection so long as its reply in support of its Motion to Dismiss be extended to November 24, 2023.

WHEREFORE, Plaintiff respectfully requests that the Court: extend the time by which Plaintiff is to respond to the pending Motion to Dismiss and to the Counterclaims to and including November 10, 2023, and extend the time by which Defendant is to Reply in support of its Motion to Dismiss to and including November 24, 2023; and (c) grant such additional relief as this Court deems appropriate.

Dated: October 19, 2023

MFB Fertility Inc., a Colorado Corporation

By: /s/ Gary I/ Blackman
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Gary I. Blackman, an attorney, hereby certify that on October 19, 2023, I caused a true and correct copy of the foregoing to be filed with the Clerk of the Court using the CM/ECF filing system, which will send notification of such filing to all attorneys of record.

/s/ Gary I. Blackman